

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

NATHAN LING,

PLAINTIFF,

VS

CIVIL ACTION NO: 3:20-CV-233

CAMPBELL COUNTY, TENNESSEE;
JUSTIN CRABTREE; DAKOTA WILLIAMS;
SEAN BROWN; JOSHUA MILLER, in their
individual and official capacities;
and JOHN DOES, names and identities
not yet known,

DEFENDANTS.

PRETRIAL DISCOVERY DEPOSITION OF:

JOHN MINOR

TAKEN ON DECEMBER 13, 2022

* * * THIS STYLE PAGE IS CONTINUED * * *

APPEARANCES:

FOR PLAINTIFF: TONY SEATON, ESQ.

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FOR DEFENDANTS: ARTHUR F. KNIGHT, III, ESQ.

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1 A. Yes, Sergeant Owens.

2 Q. Tosha Tackett.

3 A. Yes. I believe what happened was, and
4 the reason that there were so many people there, is
5 at the same time we had a DUI Task Force.

6 Q. Uh-huh.

7 A. And then you had your shift. So I, if
8 I'm not mistaking, I was on DUI time for the Governor
9 Highway Safety Office, and I was backing up on a
10 traffic stop, in case it was a DUI I was going to
11 take it, but as I got there, as I was going there, it
12 turned out to be a stolen vehicle. So I just went
13 ahead and backed him up, and then when we got into
14 the fight or when I called out that I was 1059, I
15 mean, I was struggling with Mr. Ling, that's when
16 everybody came. 'Cause everybody that hears it
17 that's in a patrol car is going to come to assist.
18 That's just, that's just the way it is.

19 Q. Okay. And so we ended up with six...?

20 A. You ended up with the DUI Task Force, as
21 well as the shift there.

22 Q. Okay. So the people that I just named,
23 Douglas, Minor, Crabtree, Williams, Owens and
24 Tackett, they were all there?

25 A. Yes.

1 Q. Okay. And were they all in individual
2 patrol cars?

3 A. As far as I remember.

4 Q. To the best of your memory?

5 A. To the best of my knowledge.

6 Q. Okay. And what causes everybody in the
7 whole shift to come to a scene?

8 A. When I ran Mr. Ling's name...

9 Q. Uh-huh.

10 A. ...it came back he was wanted out of
11 Michigan.

12 Q. Uh-huh.

13 A. And the dispatcher started rattling off
14 that he was wanted for evading, assaults, just a
15 random of things. I don't remember exactly, but the
16 dispatcher started rambling off. Well, at that point
17 I told Mr. Ling, I says, turn around and put your
18 hands behind your back, and he began to fight me,
19 trying to get away. I was able to get one cuff on a
20 hand to try to -- and I was trying to push him on the
21 door to get him under control, and at the same time,
22 the dispatcher was yelling so I couldn't, I couldn't
23 get out. So I switched channels with one hand, and I
24 yelled for Roby, which was the dispatcher, I told him
25 to get off the radio because I was -- I couldn't key

1 up with him talking 'cause he was reading from the
2 NCIC hit, which was a long list of stuff, and
3 everybody else was on scan, I assume. And it was at
4 the same time that we were switching to digital. So
5 we were trying to switch our repeaters and stuff so
6 like people were on like different channels, and they
7 heard me like animated, so everybody started coming
8 that way.

9 Q. What's 1059?

10 A. Fighting, that he's fighting me.

11 Q. Okay. So when we talked with Cody
12 Douglas yesterday...

13 A. Uh-huh (affirmative).

14 Q. ...he said that he was the first one on
15 the scene.

16 A. He was.

17 Q. Okay. And that when he got to the scene,
18 the three individuals were in the car. The female
19 was in the front seat.

20 A. Yes.

21 Q. So how soon after Cody Douglas was there
22 did you arrive?

23 A. When I arrived -- I'll use a phone as a
24 demonstration. When I arrived, the vehicle was
25 parked this way.

1 Q. Yeah.

2 A. Cody was standing here...

3 Q. Okay.

4 A. ...with the female here.

5 Q. Okay.

6 A. And as I pulled in, my lights shined on
7 the vehicle, and I saw the male juvenile, I believe
8 in the front seat, the front passenger seat...

9 Q. Uh-huh.

10 A. ...and Mr. Ling in the back driver's
11 seat. So as I pulled in, I got out, and I came and
12 stood here...

13 Q. Uh-huh.

14 A. ...so that I could see Officer Douglas
15 and I could talk to Mr. Ling through the door, and I
16 could also see the front passenger.

17 Q. Okay.

18 A. I stood there for probably a minute or
19 two and spoke with them, and the car either -- I
20 can't remember if it came back stolen while I was
21 standing there or if it came back stolen as I was
22 pulling in, but at some point the car was reported
23 stolen over the radio. So when I spoke with Mr.
24 Ling, I asked him to step out of the vehicle. So --
25 and when I asked him to step out of the vehicle, I

1 wanted to secure him. Even if we weren't going to
2 arrest him, I wanted to secure him for his safety and
3 mine.

4 Q. Okay. So you got one cuff on his, on one
5 of his arms, hands?

6 A. Yes.

7 Q. Which hand? Do you recall?

8 A. I don't recall. Probably, 'cause I
9 always cuff a certain way. So probably his left
10 hand.

11 Q. Okay.

12 A. His left wrist.

13 Q. Okay. And so what kept you from getting
14 his -- did he start fighting then and you didn't get
15 his other...?

16 A. Yes. Well, he was struggling when I was
17 trying, and I was telling him, don't resist.

18 Q. Yeah.

19 A. And I was pushing him into the door jamb,
20 like he was pushing back against me.

21 Q. Uh-huh.

22 A. And I was pushing him against the door
23 jamb 'cause that's the safest place to deal with him
24 at this point. And once I got out on the radio,
25 that's when he, he like kinda slammed his arm over

1 and knocked my arm down. So that opened up a space
2 for him to go through, and he took off, but I still
3 had a hold of the cuff, and then he ended up dragging
4 me down the road. And like my flashlight went one
5 way. I had a body cam. It wasn't activated. It
6 broke and went the other way. It just turned into a
7 mess at that point.

8 Q. So did you tell him before you, before
9 you, we're going to put the cuffs on you, did you
10 tell him he was under arrest?

11 A. No. I told him he was being detained.

12 Q. Is that the words that you used?

13 A. That's the exact words I used. I was
14 like, you're being detained. Turn around and put
15 your hands behind your back.

16 Q. Okay. And so you had one cuff on him?

17 A. Yes.

18 Q. And the other one was just loose?

19 A. Yes.

20 Q. It wasn't, it wasn't shackled to you?

21 A. No.

22 Q. Okay. And you said that's when he
23 resisted?

24 A. No. He was resisting before.

25 Q. Okay. What did he say?

1 sergeant.

2 Q. Okay. So after Ling took off, excuse me.

3 I'm sorry, did you still have a hold of the handcuff?

4 A. For probably 30, 40 yards.

5 Q. Okay. So he was dragging you?

6 A. Yes.

7 Q. You holding onto the handcuffs?

8 A. Yes.

9 Q. All right. And you fell, right?

10 A. Yes. On the roadway.

11 Q. And that's where you scuffed your arm up?

12 A. Yes.

13 Q. Okay. And so let me show you, if I can,

14 what we have previously marked as Exhibit 6, and I

15 think what we're trying to show there is the road,

16 the Wildwood Circle, and where the blue circle with

17 the checkmark in it...

18 A. That's where the vehicle was. My bad.

19 Q. That's where the vehicle was?

20 A. Yes.

21 Q. And it was backed in, correct?

22 A. He -- yes.

23 Q. And was it backed all the way back to the

24 back or in the middle or the...?

25 A. I don't recall.

1 Q. Okay. And is the blue circle with the
2 star, is that where you all found...?

3 A. No.

4 Q. Okay. Where did you find him?

5 A. We found him -- you see -- do you have a
6 pen? Do you see this patio, this little patio right
7 here?

8 Q. Yes.

9 A. Okay. There was a truck parked right
10 here, and this is a steep, downhill grade.

11 Q. Okay.

12 A. Initially, we began scuffling right here.

13 Q. Uh-huh.

14 A. And he ran this direction dragging me.
15 About right here...

16 Q. Uh-huh.

17 A. ...is where I fell, like where I ended up
18 on the ground.

19 Q. Like in front of that driveway?

20 A. Right. In front of that driveway.

21 Q. Where the star is?

22 A. Yes.

23 Q. Okay.

24 A. And then once I got back to my feet...

25 Q. Uh-huh.

1 A. ...Deputy Douglas ran this way around the
2 house.

3 Q. Okay.

4 A. And I got back to my feet, and I ran this
5 way and didn't see him, and I came down here, and I
6 saw Deputy Douglas, but we couldn't see him, so I
7 assumed he went into these woods, and then when I got
8 to this point, I saw Deputy Douglas, and then I
9 remembered we still have two more in this vehicle,
10 the female...

11 Q. Uh-huh.

12 A. ...and him. So I turned and started back
13 towards them, and then I heard Deputy Douglas yelling
14 show me your hands. Show me your hands. So I turned
15 immediately and ran back down, and that's when I see
16 Mr. Ling. There was a truck right here, and Mr. Ling
17 had ran down this hill and tripped about right here
18 and hit his head on the back of that truck, right on
19 the bumper. And he was unconscious laying on his
20 stomach with both hands under him.

21 Q. Let me see that exhibit there. We're
22 going to make this one Exhibit 7 -- or I'm sorry.
23 Exhibit what?

24 COURT REPORTER: Ten.

25 Q. Ten.

(WHEREUPON, EXHIBIT NUMBER 10, Aerial
Map of Incident Location with Markings
by Mr. Minor, IS ADMITTED)

Q. 'Cause you're the first person that's
been able to really tell us what transpired. Nobody
else remembers.

A. Yes.

Q. So tell me...

A. So do you want me to draw it again?

Q. Yeah. Hang on a second. What I want you
to do is to -- you're confirming on Exhibit 10 that
the car was backed into where the checkmark is,
right?

A. Yes. The car was backed in here.

Q. All right. So I want you to put the
initials of Cody Douglas and then the arrow in which
he ran.

A. Cody Douglas.

Q. CD. Right. And then...

A. And then Cody ran this way.

Q. Okay. And then show the direction -- put
your initials and show the direction that you ran.

A. I ran this way, and then here is where I
fell and was injured.

Q. Okay.

1 A. And then continued on this way.

2 Q. Okay. So you fell right there in front
3 of that driveway where the...?

4 A. Yes.

5 Q. ...star is?

6 A. Yes.

7 Q. And then I want you to draw, yeah, draw
8 the truck.

9 A. Here's the truck.

10 Q. And put truck.

11 A. And then Ling was right here...

12 Q. Okay.

13 A. ...under the truck.

14 Q. Now was the truck sideways?

15 A. It was backed in.

16 Q. Okay.

17 A. And the back bumper, he hit his head
18 right on the back bumper and kinda, from my
19 perspective, he was falling as he hit the truck, and
20 he hit the truck and then slid underneath it about
21 halfway up his body, and he was, his hands, both
22 hands were under, underneath his belly.

23 Q. Okay.

24 A. And he was laying there. He was actually
25 snoring, like deep snoring.

1 Q. Oh, okay.

2 A. The best of my knowledge.

3 Q. Okay. So...?

4 A. And then I pulled Mr. Ling out, cleared
5 his hands, cuffed him, and then we brought him to
6 this point right here, and then EMS pulled in.

7 Q. All right. Put EMS.

8 A. EMS pulled in right here.

9 Q. Okay.

10 A. Dakota showed up at this time too, as we
11 were cuffing him.

12 Q. Okay.

13 A. And the female actually had ran from this
14 way...

15 Q. Uh-huh.

16 A. ...and she was calling us the N word and
17 like screaming at us to help him, and then like, like
18 just -- she was being irate, and she was coming
19 really fast down the hill. So Dakota had grabbed her
20 and took her into custody at that point because she
21 was, she was screaming. She was saying the N word
22 over and over and calling, saying that we were B
23 word, N word, all kinds of stuff. Dakota put her in
24 custody.

25 Q. Was the B word bitch?

1 A. Yeah. Yeah.

2 Q. Okay.

3 A. So, and then Dakota's car was right here.

4 Q. Uh-huh.

5 A. So she was put in Dakota's car right
6 here. And then we were, we were here with Mr. Ling,
7 and he came to while we were here and actually broke
8 a cuff and had to be re-cuffed. And that's when he
9 was trying to kick and bite EMS when they were trying
10 to check his eyes.

11 Q. All right. So he broke your cuff?

12 A. I don't recall if it was my cuffs that we
13 cuffed on him, or if it was Douglas'. I think it was
14 Douglas' cuffs, 'cause I think I took that one cuff
15 off after I cuffed him with Douglas'. I think
16 Douglas threw me a set of cuffs, and I cuffed him,
17 and then I was like, oh, crap. He's still got that
18 cuff on, and I took it off, I believe.

19 Q. Okay.

20 A. But I'm not a hundred percent.

21 Q. And do you all have the broken cuff?

22 A. No. They probably were thrown away.

23 Q. Okay.

24 A. I know they were bent. But he was
25 brought back up to this hillside right here.

1 Q. Uh-huh.

2 A. And then I remember these people were out
3 on their porch, and then my car was parked right
4 here, and we, after EMS cleared him, we had to carry
5 him, me, Douglas, Dakota and Crabtree and Sergeant
6 Owens, we carried him to here. He continued to
7 fight, kick, bite, spit, all those things, and we put
8 him in the back of my patrol car. And then somebody,
9 I don't remember who, came in on the passenger side
10 and pulled him through, and then whenever they closed
11 the door, he started kicking the door, and then they
12 closed this door. And then that's why I gave my keys
13 to Justin Crabtree, and he turned a U-turn with my
14 car and went to the jail. Then Dakota made a U-turn
15 in his car and took the female to jail, and then I
16 took Crabtree's car, and I went to the ER because I
17 thought my wrist was broken.

18 Q. Okay. So I want to go back to where
19 you're cuffing him at the, at the truck.

20 A. Yes.

21 Q. You said that you got there at the same
22 time that Cody -- or Cody Douglas was saying to him
23 what?

24 A. Show me your hands. Show me your hands.

25 Q. Show me your hands. Right.

1 A. Not at all.

2 Q. At that time?

3 A. Not at all.

4 Q. All right. So once you got him to the
5 EMS spot...?

6 A. Yes.

7 Q. ...where the EMS was, then he started
8 coming to?

9 A. Yes.

10 Q. All right. And how many EMS people were
11 there?

12 A. Two the best I can recall, a driver and
13 then a paramedic.

14 Q. Did you know them?

15 A. I do not know who they were.

16 Q. Okay. And did they check him out?

17 A. Yes.

18 Q. What all did they do to check him out?

19 A. They tried to talk to him. He spit at
20 one of them and was trying to bite them when they
21 would -- 'cause they were trying to check his eyes.

22 Q. Uh-huh.

23 A. 'Cause he had, we'd told them he had a
24 head injury, and they were trying to check his eyes.
25 They were trying to ask him questions. He was still

1 kicking and fighting.

2 Q. Was he responding to the questions?

3 A. Not necessarily. He was just fighting.
4 He was screaming and just not -- when he came to, he
5 had that fight or flight syndrome, and he was
6 fighting.

7 Q. Okay. Did he appear to be seriously
8 injured from hitting the truck?

9 A. Not as far as mobility. He was able to
10 fight, kick, bite, spit, cuss.

11 Q. Was there any blood?

12 A. No.

13 Q. Okay. No blood. Was there any point in
14 time where -- well, you said the EMS checked him out
15 and cleared him?

16 A. Yes.

17 Q. And they cleared him to go to jail?

18 A. EMS said if he can fight, he's good to go
19 to jail.

20 Q. Okay. And did they determine that he
21 didn't need to go to the hospital?

22 A. Yes. They cleared him.

23 Q. All right.

24 A. I don't remember which one of us signed
25 -- one of us had to sign a paper for them.

1 kick, and he was a strong guy, like he was in good
2 shape.

3 Q. Was he abused in any way?

4 A. No.

5 Q. Okay. Were, were -- you know, when
6 you're cuffed behind your back, you pull somebody's
7 arms up and it can dislocate your shoulder, true?

8 A. Yeah.

9 Q. Was any of that going on?

10 A. No. Nobody was overly, that I saw,
11 nobody was overly aggressive with him.

12 Q. Okay.

13 A. And we were doing the bare minimum, I
14 would say, the bare minimum necessary to get him
15 inside my patrol car...

16 Q. Okay.

17 A. ...with the fact that he was fighting and
18 continuing to flail his legs and spit and bite and do
19 all those things.

20 Q. There was mention at one point in time
21 that someone punched him in the gut.

22 A. I don't know.

23 Q. You didn't see that?

24 A. I was focused on a leg to keep him from
25 kicking.

1 A. I don't know. I'm not, not a physician.

2 Q. Well, I understand that but, you know,
3 you saw the picture of him...

4 A. I saw the picture of him at the jail, and
5 he was bloody, but I don't recall blood at the scene.

6 Q. Okay. Have you reviewed any of the
7 videos of what happened to him...?

8 A. No.

9 Q. ...in the sally port and in the jail?

10 A. No.

11 Q. No one asked you to review any of that?

12 A. No.

13 Q. All right. Are you aware of what
14 happened?

15 A. Not really. I don't get in their -- like
16 I stay out of that because I was at the ER. So
17 anything that happened past me going to the ER, short
18 of them sending me that picture, and I told that to
19 the TBI, I didn't talk about it anymore. I didn't do
20 anything anymore.

21 Q. Well, you, you were investigated by the
22 TBI, weren't you?

23 A. I wasn't. I was interviewed by the TBI.

24 Q. You were interviewed? Okay. I stand
25 corrected and I apologize. I didn't mean to...